

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

THE CITY OF HUNTINGTON,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG  
CORPORATION, et al.,

Defendants.

Civil Action No. 3:17-01362  
Hon. David A. Faber

CABELL COUNTY COMMISSION,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG  
CORPORATION, et al.,

Defendants.

Civil Action No. 3:17-01665  
Hon. David A. Faber

**MCKESSON'S MOTION FOR JUDGMENT ON  
PARTIAL FINDINGS REGARDING ACTIONABLE CONDUCT**

Pursuant to Fed. R. Civ. P. 52(c), Defendant McKesson Corporation hereby moves for judgment on partial findings because Plaintiffs have not proven actionable conduct on the part of McKesson that was a substantial factor in causing the alleged public nuisance in Cabell/Huntington that Plaintiffs seek to abate. The bases for this Motion are set forth more fully in the accompanying memorandum of law, which is incorporated herein. Pursuant to LR Civ. P. 7.1(a), copies of all documents, affidavits, and other such materials or exhibits referenced in the memorandum and upon which this motion relies are attached to this motion.

Dated: July 1, 2021

Respectfully submitted,

**McKesson Corporation**

By Counsel:

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**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that on July 1, 2021, the foregoing “MCKESSON’S MOTION FOR JUDGMENT ON PARTIAL FINDINGS REGARDING ACTIONABLE CONDUCT” was served using the Court’s CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Timothy C. Hester  
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